



U.S. Department  
of Transportation

**Research and  
Special Programs  
Administration**

400 Seventh Street, S.W.  
Washington, D.C. 20590

MAY 12 2000

Ms. Barbara Maxwell  
Branch Administrator  
Aviall, Inc.  
385 Industrial Drive  
Mt. Juliet, Tennessee 37122

Dear Ms. Maxwell:

In response to your letters dated May 2 and 9, 2000, enclosed is a copy of the Third Revision of DOT-E 11078 which has been extended to April 30, 2002 for Aviall, Inc.

This extension does not resolve proceedings which may be initiated by the Office of Hazardous Materials Enforcement, Research and Special Programs Administration, concerning the operations conducted between July 31, 1998 and the issue date of your extension. Those operations conducted after the expiration date and before this extension were not in compliance with the Hazardous Materials Regulations, and no longer authorized by the exemption.

Sincerely,

R. Ryan Posten  
Exemptions Program Officer  
Office of Hazardous Materials  
Exemptions & Approvals

Enclosure



U.S. Department  
of Transportation

**Research and  
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Administration**

400 Seventh Street, S.W.  
Washington, D.C. 20590

MAY 12 2000

DOT-E 11078  
(THIRD REVISION)

EXPIRATION DATE: April 30, 2002

1. GRANTEE: Aviall, Inc.,  
Mt. Juliet, TN

(See Appendix A to this document for a list of additional grantees)

2. PURPOSE AND LIMITATION: This exemption authorizes the transportation in commerce of certain nickel-cadmium batteries each containing no more than 10 ml of liquid potassium hydroxide, a Class 8 material, as not subject to the Hazardous Materials Regulations when shipped in accordance with the provisions of this exemption.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR Subchapter C except as prescribed in this exemption.
5. BASIS. This exemption is based on Aviall, Inc.'s application dated May 2, 2000 submitted in accordance with § 107.109 and supplemental information dated May 9, 2000.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous materials description / proper shipping name	Hazard Class/ Division	ID number	Packing Group
Batteries, wet, filled with alkali, electric storage	8	UN2795	III

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7. SAFETY CONTROL MEASURES:

a. PACKAGING - Each battery must contain less than 10 ml of free-flowing potassium hydroxide solution. The batteries must be sealed in heat sealed bags, and packaged to prevent short circuits in the center of the outer plastic drum with a foam-in-place packaging material. The outer plastic drum must be a 1H2 which meets Packing Group II performance standards. The gross weight of the package may not exceed 15.2 kg (33.4 pounds), and the cumulative amount of potassium hydroxide solution in all of the batteries in each package may not exceed 4 ounces (0.11 kg).

b. MARKING - The outer package must be marked "DOT-E 11078".

8. SPECIAL PROVISIONS.

a. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modifications or change are made to the package and it is reoffered for transportation in conformance with this exemption and the HMR.

b. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

9. MODES OF TRANSPORTATION AUTHORIZED. Motor vehicle, rail freight, cargo vessel, cargo aircraft and passenger-carrying aircraft.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo vessel or aircraft used to transport packages covered by this exemption. The shipper must furnish a current copy of this exemption to the air carrier before or at the time the shipment is tendered.

11. COMPLIANCE. Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

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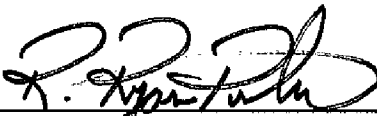
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by § 172.700 through § 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS. The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incidents involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:

  
FOR Robert A. McGuire  
Acting Associate Administrator  
for Hazardous Materials Safety

MAY 12 2000

(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590.  
Attention: DHM-31.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

Copies of exemptions may be obtained from the AAHMS, U.S. Department of Transportation, 400 7th Street, SW, Washington, DC 20590-0001, Attention: Records Center, 202-366-5046.

PO: sln

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The following are hereby granted party status to this exemption based on their application(s) submitted in accordance with § 107.107 or § 107.109, as appropriate:

Company Name City/State	Application Date	Issue Date	Expiration Date
Battery Shop LLC Mt. Juliet, TN	6/5/98	6/25/98	5/31/2000



Robert A. McGuire  
Acting Associate Administrator for  
Hazardous Materials Safety

for